

DIST/OFFICE	DOCKET YR.	NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	H	23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	NUMBER
1085/4	76	0238	6 1 76	2	894	1						8510		76	0238-C

## PLAINTIFFS

SKELLY OIL COMPANY  
Box 1650  
Tulsa, Oklahoma 74102

## DEFENDANTS

FEDERAL ENERGY ADMINISTRATION  
Benjamin Franklin Post Office  
Building  
Washington, D. C. 20461

FRANK G. ZARB  
Administrator  
Federal Energy Administration  
Benjamin Franklin Post Office  
Building  
Washington, D. C. 20461

MELVIN GOLDSTEIN  
Director, Office of Exceptions and  
Appeals

Federal Energy Administration  
2000 M Street, N.W.

## CAUSE

Washington, D. C. 20461

Emergency petroleum allocation Act of 1973. (15 USC Sec. 754 (a)(1)) seeking  
a declaratory judgment to determine the validity of an FEA Decision and Order.

## ATTORNEYS

Kathleen A. O'Connor  
Richard J. Dent  
John F. Smith  
Sam C. Oliver  
Neal F. Lehman  
Skelly Oil Company  
Box 1650  
Tulsa, Oklahoma 74102  
584-2311

Hubert A. Marlow  
Asst. U. S. Atty

Rex E. Lee, Barbara Allen Babcock  
Stanley D. Rose  
John Lillard, Room 3740, Main Justice  
Dept. of Justice Bldg.  
Washington, D. C. 20530

Wm. Simon, Wm. E. Wickens  
Frederick S. Frei  
Howrey & Simon  
1730 Pennsylvania Ave., N.W.  
Washington, D. C. 20006  
202-783-0800

Kathleen A. O'Connor  
3810 Wilshire Blvd.  
L.A., Ca. 90010  
213-381-7151

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## FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

## STATISTICAL CARDS

CARD DATE MAILED  
JS-5 7-1-76  
JS-6 10-1-77

DATE 1976	NR.	PROCEEDINGS
6-1	1.	Complaint, filed. ph Summons issued.
6-2	2.	Pltf's mo/quash subpoena and production of documents, filed. hm
6-2	MO:	Ordered that leave is granted for pltf. to file mo/quash without supporting brief; said brief to be filed by 6-3-76; hearing on said motion set 6-4-76 at 11:00 a.m.; govt. defts. directed to file response to said motion by morning of 6-4-76. (HDC-J)hm
6-2	3.	Notice of mo/quash subpoena and prod. of documents, filed, setting hearing on 6-4-76 at 11:00 a.m. hm
6-3		Summons, ret. & fld: served U. S. Atty., Tulsa; served Atty. Gen, Dept. of Justice, Federal Energy Admr., Frank G. Zarb, Fed. Energy Admr., Melvin Goldstein, Director, Office of Exceptions & Appeals FEA, Washington, D. C. by certified mail, all on 6-2-76. (USM \$12.)g
6-3	4.	Brief in support of pltf's mo/quash and production of documents, filed. p
6-4	5.	Pltf's mo/withdraw mo/quash subpoena, filed. hm
6-4	MO:	Case called for hearing on pltf's mo/quash subpoena & prod. of documents. Pltf. counsel announces motion is now moot since FEA has rescinded their subpoena. Order allowing withdrawal of mo/quash subpoena signed and filed in open court. (HDC-J)hm
6-4	5.	Order on motion to withdraw motion to quash subpoena, filed, allowing said motion. (HDC-J)hm (copies delivered)
8-2	6.	ANSWER of defs., filed.rm
9-1	MO:	Case set for PT hearing 12-20-76 at 4:00 p.m. (HDC-J) nb
11-23	7.	Notice of appearance of Kathleen A. O'Connor for pltf. Skelly Oil Co., filed. ph
11-23	8.	Motion for S/J by pltf., Skelly Oil Co., filed. ph
11-23	9.	Memo. in support of pltf. Skelly Oil Co's Motion for S/J, filed. ph
11-23	MO:	It is ordered by the Court that the deft. file a resp. brief within 10 days to the pltf's Motion for Summary Judgment. (HDC-J)ph cps mld
12-2	10.	Defts' motion for ext. of time and motion to strike this case from PT docket, filed. ph
12-2	11.	Defts' brief in support of motion for ext. of time and in support of mo/strike this case from PT docket, filed. ph
12-2	12.	Order, filed, that the time within which defts. may file resp. brief to pltf's mo/SJ is enlarged to 2-1-77; pltf. has until 2-18-77 to file resp. to defts' responsive brief, if desired; further ordered that case is stricken from PT docket for 12-20-76. (HDC-J)ph cps mld
1-27	13.	Motion of defs. for ext. of time to respond to pltf. mo/SJ, filed. rm
1-27	14.	Brief in support of mo/ext. of time, filed. rm (0 0 0 0 0 0 0 0 0 0)
1-27	15.	Order, filed, granting defs. to 3/2/77 to file response to pltf. mo/SJ; the pltf. shall have to 3/18/77 to file response to defs. response, if desired. (HDC-J)rm-copies mailed
3-2	16.	Defts.' cross-motion for summary judgment, with memo. in support of cross-motion, and in opposition to pltf. mo/sj, w/affidavits of Dr. J. Lisle Reed and Lon W. Smith, filed. rm (pltf. granted to 3/18/77 to respond)
3-18	17.	Pltf's motion to strike affidavit of Dr. Reed, filed. ph
3-18	18.	Pltf's motion to strike affidavit of Mr. Smith, filed. ph
3-18	19.	Memo. in support of pltf's motions to strike, filed. ph
3-18	20.	Pltf's memo. in oppos. to defts' cross-motion for S/J and memo in support, filed. ph

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-238-C</u>
SKELLY OIL COMPANY		FEDERAL ENERGY ADM., et al	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1977</u> 3-21	MO:	It is ordered by the Court that the defts. file a resp. brief within 10 days to the pltf's mo/strike affid. of Dr. Reed and pltf's motion to strike affid. of Mr. Smith. (HDC-J)ph cps mld	
3-30	21.	Deft's motion for ext. of time to file brief in reply to pltf's resp. to gov't cross-motion for S/J, filed. ph (O to J)	
3-31	22	Order, fld. granting Defts. an ext. of time until 5-2-77 to file a responsive brief to Pltf. mot. to strike, as well as in reply to their own cross-motion for S/J. (HDC-J) cps mld. ho	
5-2	23.	Defts' Reply Memo in Support of Their Cross-Motion for SJ and in Opposition to Pltfs' Motion to Strike, filed. njb	
9-8	24.	Order, filed and entered, that pltf's motions to strike are overruled; further that pltf's mo/SJ is overruled and defts' mo/SJ is sustained. (HDC-J)ph cps mld	
10-14	25.	Copy of Notice of Appeal, filed, that pltf. appeals to Temporary Emergency C.A. rm (c.c. docket sheet transmitted to TECA)TECA No.10-14	
9-21-78	26.	Mandate of TECA, filed and spread of record, affirming ct.'s judg.; Judge Zirpoli dissenting. rm	

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

DATE	NR.	PROCEEDINGS